

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. <u>06-96</u>
v.	:	DATE FILED: <u>3/7/06</u>
PEDRITO SANTIAGO MORETA,	:	VIOLATIONS:
a/k/a "Tru,"	:	18 U.S.C. § 1951 (conspiracy to interfere
VITALY LIBERMAN,	:	with interstate commerce by robbery - 1
a/k/a "Tally,"	:	count)
WALTER EARL LEON, JR.,	:	18 U.S.C. § 1951 (interference with
a/k/a "Buddha"	:	interstate commerce by robbery - 1
	:	count)
	:	18 U.S.C. § 1951 (attempted interference
	:	with interstate commerce by robbery - 1
	:	count)
	:	18 U.S.C. § 924(c) (carrying and
	:	using a firearm during and in relation to
	:	crime of violence - 2 counts)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. At all times relevant to this indictment, the following businesses (hereafter "the victim businesses") were engaged in and affecting interstate commerce:

a. Brinks, Incorporated, located at 401 Callowhill Street, Philadelphia, Pennsylvania ("Brinks, Incorporated") was a business that transported money using armored trucks, stored money, and counted money for their customers while providing security.

b. The Check Cashing Station, located at 721 Bristol Pike, Croyden,

Pennsylvania (“Check Cashing Station”) was a business that conducted financial transactions, such as cashing checks and selling money orders, and engaged in the retail sale of merchandise.

2. From on or about August 23, 2005, through on or about August 24, 2005, in the Eastern District of Pennsylvania, defendants

**PEDRITO SANTIAGO MORETA,
a/k/a “Tru,”
VITALY LIBERMAN,
a/k/a “Tally,” and
WALTER EARL LEON, JR.,
a/k/a “Buddha,”**

conspired and agreed together, and with others known and unknown to the grand jury, to commit robbery, which robbery would unlawfully obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, in that defendants PEDRITO SANTIAGO MORETA, VITALY LIBERMAN, and WALTER EARL LEON, JR. conspired to unlawfully take and obtain money from the person and presence of employees of the victim businesses, including Brinks, Incorporated and the Check Cashing Station, against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, all in violation of Title 18, United States Code, Section 1951(a), (b)(1), and (b)(3).

MANNER AND MEANS

It was part of this conspiracy that:

3. Defendants PEDRITO SANTIAGO MORETA, VITALY LIBERMAN, and WALTER EARL LEON, JR. planned and executed the robberies of one or more the victim businesses to obtain cash.

4. In the commission of the robberies of the victim businesses, defendants PEDRITO SANTIAGO MORETA, VITALY LIBERMAN, and WALTER EARL LEON, JR., and others known and unknown to the grand jury:

- a. armed themselves with firearms;
- b. drove together to the victim businesses;
- c. sometimes concealed their identities by covering their faces with bandanas or face paint; and
- d. confronted employees of victim businesses, brandished firearms, and then threatened to injure and kill the employees to obtain money.

OVERT ACTS

In furtherance of the conspiracy and to effect the objects of the conspiracy, defendants PEDRITO SANTIAGO MORETA, VITALY LIBERMAN, and WALTER EARL LEON, JR., and others, known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania:

The Brinks Armored Car Armed Robbery

On or about August 24, 2005:

1. Defendants WALTER EARL LEON, JR., who was armed with a semi-automatic pistol, and PEDRITO SANTIAGO MORETA, who was armed with a mace cannister, confronted a courier employed by Brinks, Incorporated outside the Woori America Bank, located at 7400 Front Street in Elkins Park, Pennsylvania.
2. At gunpoint, defendants WALTER EARL LEON, JR. and PEDRITO SANTIAGO MORETA demanded money from the courier and stole two money bags containing approximately \$350,000 in cash from the courier's cart.
3. While making their getaway, defendants WALTER EARL LEON, JR. and PEDRITO SANTIAGO MORETA dropped the money bags when shot at by the Brinks' courier and fled.

The Check Cashing Station Armed Robbery

On or about August 24, 2005:

4. Defendant VITALY LIBERMAN entered the Check Cashing Station to survey the business prior to the robbery.
5. Defendant VITALY LIBERMAN lured the owner of the Check Cashing

Station from the secure area of the business by pretending to be interested in purchasing store merchandise.

6. Defendants PEDRITO SANTIAGO MORETA, JR., who was armed with a semi- automatic pistol, and WALTER EARL LEON confronted the owner of the Check Cashing Station and an employee and demanded money.

7. Before the defendants seized any cash, defendant PEDRITO SANTIAGO MORETA, JR. fired his gun at the owner of the Check Cashing Station wounding him.

8. Defendant PEDRITO SANTIAGO MORETA, JR. also shot and wounded defendant VITALY LIBERMAN.

9. Defendant PEDRITO SANTIAGO MORETA, JR. was also wounded in the exchange of gunfire.

10. Defendants PEDRITO SANTIAGO MORETA, JR. and WALTER EARL LEON then fled from the store.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1.a. of Count One of this indictment is incorporated here.
2. On or about August 24, 2005, in Elkins Park, in the Eastern District of

Pennsylvania, defendants

**PEDRITO SANTIAGO MORETA,
a/k/a “Tru,” and
WALTER EARL LEON, JR.,
a/k/a “Buddha,”**

and Person #1, unknown to the grand jury (Person # 1), obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, by robbery, in that, defendants PEDRITO SANTIAGO MORETA, WALTER EARL LEON, JR. and Person # 1 unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, cash from Brinks, Incorporated outside the Woori America Bank, located at 7400 Front Street in Elkins Park, Pennsylvania, in the presence of an employee of Brinks, Incorporated and against his will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employee of Brinks, Incorporated, that is, by brandishing a gun, assaulting an employee with mace, demanding money, and threatening an employee of Brinks, Incorporated .

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES:

On or about August 24, 2005, in Elkins Park, in the Eastern District of Pennsylvania, defendants

**PEDRITO SANTIAGO MORETA,
a/k/a “Tru,” and
WALTER EARL LEON, JR.,
a/k/a “Buddha,”**

knowingly used and carried, and aided and abetted the use and carrying of, a firearm, that is, a semi-automatic pistol, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, conspiracy to interfere with commerce by robbery, and interference with commerce by robbery, in violation of Title 18, United States Code, Sections 1951(a) and 2.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1.b. of Count One of this indictment is incorporated here.
2. On or about August 24, 2005, in Croyden, in the Eastern District of

Pennsylvania, defendants

**PEDRITO SANTIAGO MORETA,
a/k/a "Tru,"
VITALY LIBERMAN,
a/k/a "Tally," and
WALTER EARL LEON, JR.,
a/k/a "Buddha,"**

attempted to obstruct, delay and affect commerce and the movement of articles and commodities in commerce, by robbery, in that, defendants PEDRITO SANTIAGO MORETA, VITALY LIBERMAN and WALTER EARL LEON, JR. unlawfully attempted to take and obtain, and aided and abetted the unlawful attempt to take and obtain, cash from the Check Cashing Station located at 721 Bristol Pike, Croyden, Pennsylvania, in the presence of employees of the Check Cashing Station and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employees of the Check Cashing Station, that is, by brandishing and discharging a gun, demanding money, and threatening employees of the Check Cashing Station.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

2. On or about August 24, 2005, in Croyden, in the Eastern District of Pennsylvania, defendants

**PEDRITO SANTIAGO MORETA,
a/k/a “Tru,”
VITALY LIBERMAN,
a/k/a “Tally,” and
WALTER EARL LEON, JR.,
a/k/a “Buddha,”**

knowingly used and carried, and aided and abetted the use and carrying of, a firearm, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, conspiracy to interfere with commerce by robbery, and attempted interference with commerce by robbery, in violation of Title 18, United States Code, Sections 1951(a) and 2.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Section 924(c), set forth in this indictment, defendants

**PEDRITO SANTIAGO MORETA,
a/k/a “Tru,”
VITALY LIBERMAN,
a/k/a “Tally,” and
WALTER EARL LEON, JR.,
a/k/a “Buddha,”**

shall forfeit to the United States of America, the firearm involved in the commission of these offenses, including, but not limited to:

- (1) one Beretta, Model 84F, .380 caliber semi-automatic pistol, serial number E69463Y614577.

All pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c).

A TRUE BILL:

**_____
FOREPERSON**

**_____
PATRICK L. MEEHAN
UNITED STATES ATTORNEY**